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**Human Rights Council**
**Thirty-second session**
Agenda item 3
**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Afghanistan,* Algeria, Angola,* Bahrain,* Bangladesh, Belarus,* China, Congo, Côte d'Ivoire, Egypt,* El Salvador, Fiji,* Kenya, Libya,* Mauritania,* Morocco, Namibia, Pakistan,* † Qatar,‡ Russian Federation, Saudi Arabia, Tajikistan,* Tunisia,* Uganda,* United Arab Emirates, Zambia,* Zimbabwe:* draft resolution**

## 32/... Protection of the family: role of the family in supporting the protection and promotion of human rights of persons with disabilities

*The Human Rights Council,*

*Guided* by the purposes and principles of the Charter of the United Nations,

*Reaffirming* the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and other relevant human rights instruments, including the Declaration on the Right to Development,

*Recalling* Human Rights Council resolutions on protection of the family, including its most recent, resolution 29/22, adopted on 3 July 2015,

*Recalling also* all General Assembly resolutions concerning the proclamation of preparations for, and observance and commemoration of the International Year of the Family and its tenth and twentieth anniversaries,

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* State not a member of the Human Rights Council.

† On behalf of the States Members of the United Nations that are members of the Organization of Islamic Cooperation, with the exception of Albania.

‡ On behalf of the States Members of the United Nations that are members of the Group of Arab States.

*Reaffirming* that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members, and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

*Affirming* that everyone has the right to a standard of living adequate for the health and well-being of himself or herself and of his or her family,

*Noting with concern* that the contribution of the family in society and in the achievement of development goals continues to be underemphasized, and recognizing the potential of this contribution to national development and to the achievement of major objectives of every society and of the United Nations,

*Noting* that 2016 marks the tenth anniversary of the Convention on the Rights of Persons with Disabilities, welcoming the fact that, to date, 163 States and one regional integration organization have ratified or acceded to the Convention, and calling upon States that have not yet ratified or acceded to the Convention to consider doing so,

*Noting also* that the 2016 Social Forum will focus on the promotion and full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities in the context of the tenth anniversary of the adoption of the Convention on the Rights of Persons with Disabilities,

*Taking note* of the report of the United Nations High Commissioner for Human Rights entitled "Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development",[1]

1. *Reaffirms* that the family is the natural and fundamental group unit of society, and is entitled to protection by society and the State;

2. *Also reaffirms* that States have the primary responsibility to promote and protect the human rights and fundamental freedoms of all individuals, and stresses the fundamental importance of full respect for human rights and fundamental freedoms of all family members;

3. *Affirms* the need to promote and protect rights of the child, and in this regard calls upon States to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities in the best interests of the child, bearing in mind that a child should grow up in a safe and supportive family environment, and giving high priority to the rights of children, including their survival, protection and development;

4. *Reaffirms* the responsibilities, rights and duties of parents, legal guardians or other persons legally responsible for the child to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of his or her rights;

5. *Recognizes* the positive impact that policies and measures to protect the family can have on protecting and promoting the human rights of its members and can contribute to, inter alia, promoting human rights for persons with disabilities, decreasing drop-out rates from educational institutions and inclusion in schools, achieving equality between women and men and girls and boys, empowering women and girls and enhancing protection against violence, abuses, sexual exploitation, the worst forms of child labour, and harmful practices, while bearing in mind that violations and abuses of the human rights

[1] A/HRC/31/37

and fundamental freedoms of family members adversely affect families and have a negative impact on efforts aimed at protecting the family;

6. *Stresses* that equality between women and men, and equal participation of women in employment, public life and decision-making, as well as shared parental and household responsibilities, are essential elements of family policies;

7. *Recognizes* that the family, while respect for the rights of its members is ensured, is a strong force for social cohesion and integration, intergenerational solidarity and social development, and that the family plays a crucial role in the preservation of cultural identity, traditions, morals, heritage and the values system of society;

8. *Conscious* that families are sensitive to strain caused by social and economic changes, and expresses deep concern that conditions have worsened for many families owing to economic and financial crises, lack of job security, temporary employment and lack of regular income;

9. *Recognizes* that the family unit is facing increasing vulnerabilities and pressures, and notes that single parent-headed households, child-headed households, families with members with disabilities and intergenerational households might be particularly vulnerable to poverty and social exclusion, and resolves to pay particular attention to them, while bearing in mind that a considerable proportion of households worldwide are headed by women and many other households are dependent on female income, and that female-maintained households are very often among the poorest because of wage discrimination, occupational segregation patterns in the labour market and other gender-based barriers;

10. *Remains* convinced that persons with disabilities and their family members should receive the necessary protection and assistance to enable families to contribute to the full and equal enjoyment of the rights of persons with disabilities;

11. *Highlights* the role of families in supporting its members, including members with disabilities, and recognizes their potential in contributing to the protection and promotion of the rights of persons with disabilities;

12. *Stresses* that families remain the first and most immediate environment where children with disabilities can develop their potential and enjoy a fulfilling life, and that the realization of the rights of persons with disabilities can be deeply affected by the quality of life of their families and the support and assistance provided to them, and underlines the need to provide families with members with disabilities with access to a range of support services that are responsive to the individual choices, wishes and needs of its members with disabilities;

13. *Recognizes* that families with members with disabilities may be subject to discrimination by association on the basis of disability owing to distinctions that effect or nullify their rights;

14. *Reaffirms* the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and that appropriate steps should be taken to safeguard and promote the realization of that right without discrimination on the basis of disability, and reaffirms also the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability and by taking appropriate steps to safeguard and promote the realization of this right, including by ensuring access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care;

15. *Recognizes* that persons with disabilities may be parents and head of their families, and as such, all persons with disabilities who are of marriageable age have the right to marry and to found a family on the basis of the free and full consent of the intending spouses;

16. *Affirms* that children with disabilities have equal rights with respect to family life and that States should realize these rights and prevent concealment, abandonment, neglect and segregation of children with disabilities and should undertake to provide early and comprehensive information, services and support to children with disabilities and their families;

17. *Stresses* that States should take appropriate measures to prevent all forms of exploitation, violence and abuse of persons with disabilities by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse, and that protection services are age-, gender- and disability-sensitive;

18. *Also stresses* the need for States to adopt immediate, effective and appropriate measures aimed at raising awareness throughout society, including at the family level, regarding persons with disabilities with a view to fostering respect for their rights and dignity;

19. *Calls upon* States to recognize in their policy and legal frameworks the important role played by families in caring for and supporting persons with disabilities;

20. *Urges* States, in accordance with their respective obligations under international human rights law, to provide the family, as the natural and fundamental group unit of society, with effective protection, support and assistance, and encourages States in this regard to take, as appropriate, relevant effective measures to the maximum of their available resources;

21. *Recognizes* the important role of civil society, including organizations of persons with disabilities and their families, national human rights institutions research institutes and academia, in advocacy, promotion, research and policymaking and, as appropriate, the evaluation of family policy development and capacity-building;

22. *Also recognizes* that the family unit plays a key role in social development, and as such should be strengthened and attention paid to the rights, capabilities and responsibilities of its members, and invites States, the organizations of the United Nations system and all other relevant stakeholders to take into account the role of the family as a contributor to sustainable development and the need to strengthen family policy development in their ongoing efforts to achieve the internationally agreed development goals, including the 2030 Agenda for Sustainable Development;[2]

23. *Invites* the United Nations High Commissioner for Human Rights, the treaty bodies, relevant special procedure mandate holders and other relevant international and regional human rights mechanisms, within their respective mandates and competence, to pay due attention in their work to the implementation by States of their obligations under relevant provisions of international human rights law to provide protection and support to the family as the natural and fundamental unit of society;

24. *Decides* to convene, with the support of the High Commissioner, before the thirty-fourth session of the Human Rights Council, a one-day intersessional seminar on the

[2] General Assembly resolution 70/1.

impact of the implementation by States of their obligations under relevant provisions of international human rights law with regard to the protection of the family on the role of the family in supporting the protection and promotion of the rights of persons with disabilities, and to discuss challenges and best practices in this regard;

25. *Requests* the High Commissioner to present a report on the seminar, in the form of a summary, to the Human Rights Council at its thirty-fifth session;

26. *Decides* to remain seized of the matter.